

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

CIVIL ACTION FILE NO.: 4:23-cv-77

FORMA AI INC.,	)	
Plaintiff,	)	
	)	
v.	)	<b>PLAINTIFF'S CONSENT</b>
	)	<b>MOTION FOR EXTENSION OF</b>
	)	<b>SCHEDULING ORDER DEADLINES</b>
TWIC, INC.,	)	
Defendant.	)	

**PLAINTIFF'S CONSENT  
MOTION FOR EXTENSION OF  
SCHEDULING ORDER DEADLINES**

Plaintiff FORMA AI INC. ("Plaintiff"), by and through its undersigned counsel, and pursuant to Rules 6(b) of the Federal Rules of Civil Procedure and Rule 6.1(a) of the Eastern District Court Local Rules, hereby moves this Court for an entry of an Order extending the discovery and dispositive motions deadlines contained in the Amended Scheduling Order [DKT 018] in order to complete depositions of expert and fact-witnesses, to mediate the matter before investing the resources into briefing summary judgment, and to align the remaining unexpired deadlines in this action with those deadlines. Counsel for TWIC, INC. ("Defendant") consents to the extension requested.

In support of this Consent Motion, Plaintiff respectfully shows the Court that:

1. FRCP 6(b)(1)(A) and Local Rule 6.1 permit courts to extend deadlines that have not yet passed for "good cause."
2. The Parties have been working diligently to complete discovery. Subject to any supplementations, they will complete document discovery by the original discovery deadline. The Parties have also taken five fact depositions and one expert deposition. The Parties have one fact

deposition and one expert deposition remaining, but because of conflicting schedules, they are unable to schedule those two depositions within the allotted time for discovery. In addition, the Parties' selected mediator was not able to mediate the case until June 25, 2024, which is only three days before the motion for summary judgment deadline. The Parties would appreciate the opportunity to mediate the matter before the Parties invest the money and resources into briefing summary judgment.

3. The Parties have conferred and agree with the proposed modifications to the Amended Scheduling Order referenced below.

4. This Consent Motion is not brought for the purpose for delay, and the Parties are committed to moving through the end of the modified proposed discovery schedule expeditiously.

5. Good cause exists because, as described above, the Parties have been diligent in pursuing discovery, resolving disputes without Court intervention, and scheduling depositions. But, despite their best efforts, the Parties need additional time to complete depositions and conduct mediation prior to briefing summary judgment. Therefore, Plaintiff and Defendant have agreed to, and hereby respectfully move the Court to enter, the following amended deadlines:

- All discovery shall be completed no later than **June 30, 2024**.
- All potentially dispositive motions shall be filed by **July 28, 2024**.

WHEREFORE, for the reasons set forth above, and with the consent of Defendant, Plaintiff respectfully requests that the Court enter an Order amending the Amended Scheduling Order [DKT 018] to reflect the above-referenced revised deadlines or as otherwise determined by the Court.

Respectfully submitted this the 30th day of May, 2024.

/s/ Joseph A. Schouten

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ND:4858-1786-6947, v. 1

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he has this day served a copy of the foregoing PLAINTIFF'S CONSENT MOTION FOR EXTENSION OF SCHEDULING ORDER DEADLINES with the clerk of court using the CM/ECF system, which will send notification by electronic mail of such filing to all counsel of record.

DATED: 30th of May, 2024.

/s/ Joseph A. Schouten

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